International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
Ninety-sixth session
6–30 August 2018
Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined tenth to eleventh periodic reports of Japan

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4 and 6)

2. Information on efforts to bring the definition of racial discrimination contained in the Constitution into line with article 1 of the Convention (CERD/C/JPN/CO/7-9, para. 7; CERD/C/JPN/10-11, paras. 101–102).

3. Updated information on efforts to adopt comprehensive legislation prohibiting racial discrimination (CERD/C/JPN/CO/7-9, para. 8; CERD/C/JPN/10-11, para. 101).

4. Updated information on efforts to establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (CERD/C/JPN/CO/7-9, para. 9; CERD/C/JPN/10-11, paras. 108–109).

5. Updated information on measures taken to withdraw reservations to paragraphs (a) and (b) of article 4 of the Convention (CERD/C/JPN/CO/7-9, para. 10; CERD/C/JPN/10-11, paras. 124–126).

6. Updated, detailed information on the implementation and impact of measures taken to combat hate speech in the media and on the Internet; information on the implementation and impact of the Broadcast Act on preventing incitement to racial discrimination and racist violence through the media (CERD/C/JPN/CO/7-9, para. 11; CERD/C/JPN/10-11, para. 131).

7. Information on the number of reports, investigations, prosecutions and convictions for hate speech and hate crimes, including information on sanctions against public officials

and politicians who disseminate hate speech and incitement to hatred (CERD/C/JPN/CO/7-9, para. 11; CERD/C/JPN/10-11, para. 130).

8. Information on the impact of the anti-hate speech campaign and the enactment of the act on the elimination of hate speech of 2016; detailed information on the implementation and impact of the counselling system relating to discriminatory speech mentioned in article 5 of the act (CERD/C/JPN/10-11, paras. 105–107 and 133).

Situation of minorities and indigenous peoples (arts. 2–7)

9. Updated information on the implementation and impact of measures taken to improve the access of the Ainu people to employment, education and improved living conditions, to protect their rights to land and natural resources, to improve the realization of their right to culture and language, and to increase the number of Ainu representatives on the Council of the Ainu Promotion Policy and other consultative bodies (CERD/C/JPN/CO/7-9, para. 20; CERD/C/JPN/10-11, para. 20).

10. Information on the implementation and impact of any measures taken to protect the rights of the Ryukyu people in consultation with their representatives; information on any measures adopted to protect the languages of the Ryukyu people, to facilitate education in those languages, and to include Ryukyu history and culture in textbooks (CERD/C/JPN/CO/7-9, para. 21; CERD/C/JPN/10-11, paras. 34–36).

11. Information on measures taken to adopt a clear definition of "Burakumin", to improve the living conditions of members of that group, eliminate the socioeconomic gap between them and the rest of the population, and to protect them against discrimination, including by protecting their registered family data; information on the implementation and impact of the law on the promotion of the elimination of discrimination against Buraku of 2016 (CERD/C/JPN/CO/7-9, para. 22).

12. Information on measures taken to prevent the ethnic or ethno-religious profiling of Muslims by law enforcement officers (CERD/C/JPN/CO/7-9, para. 25; CERD/C/JPN/10-11, para. 142).

13. Information on the impact of the 2015 Fourth Basic Plan for Gender Equality on preventing violence against minority and indigenous women; information on numbers of reported cases of violence against minority and indigenous women, and numbers of investigations, prosecutions and convictions of perpetrators of such violence; information on measures taken to review residence status legislation to ensure protection of foreign women married to Japanese citizens, or to non-citizens with permanent residence status, to prevent expulsion upon divorce (CERD/C/JPN/CO/7-9, para. 17; CERD/C/JPN/10-11, paras. 9–16).

14. Information on the outcome of the investigation into comfort women, on efforts to resolve the issue of comfort women, including the outcome of investigations into the violations of their rights, and information on the provision of adequate reparations to surviving comfort women and their families (CERD/C/JPN/CO/7-9, para. 18).

15. Updated information on the implementation and impact of training courses and awareness-raising activities on the prevention of racial discrimination (CERD/C/JPN/CO/7-9, para. 26; CERD/C/JPN/10-11, paras. 110–122 and 197–216).

Situation of non-citizens, including migrants, asylum seekers and refugees (arts. 5–7)

16. Updated, detailed information on the implementation and impact of measures taken to prevent racial discrimination against migrants, including in the fields of employment, education, health care and housing (CERD/C/JPN/10-11, paras. 49–51 and 159–162).

17. Information on the implementation and impact of measures to reform the Technical Intern Training Programme, such as the enforcement of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees and related governmental and ministerial ordinances promulgated in April 2017; updated data and information on labour standard inspections of organizations with technical intern programmes (CERD/C/JPN/10-11, paras. 46–48).

18. Detailed information on measures taken to improve the situation of non-citizens, including with regard to access to public service jobs, the national pension scheme and public places and facilities (CERD/C/JPN/CO/7-9, paras. 13–15; CERD/C/JPN/10-11, paras. 147–149, 165 and 177–179).

19. Updated information on measures taken to improve access by children citizens of the Democratic People's Republic of Korea to education, including allowing access to funding for schools of the Democratic People's Republic of Korea (CERD/C/JPN/CO/7-9, para. 19; CERD/C/JPN/10-11, paras. 169–175).

20. Information on measures taken to adopt specific legislation against trafficking in persons, and updated information on the situation of victims of trafficking in persons, especially of minority women trafficked for the purpose of sexual exploitation, and on the impact of training courses and other anti-trafficking measures listed in the periodic report (CERD/C/JPN/10-11, paras. 55–71).

21. Information on measures taken to promote non-discrimination, awareness and understanding regarding refugees and asylum seekers among the public and the authorities; information on limiting the use of detention of asylum seekers; information on measures taken to improve access by refugees and asylum seekers to housing, education, employment, and basic services (CERD/C/JPN/CO/7-9, para. 23).